

January 27, 1976

SENATOR STONEY: So the citizenry is notified that there is a public emergency? They're notified through the means of the radio station and whatnot? The sheriff's department themselves can contact the individuals that will be engaged in these activities?

SENATOR CHAMBERS: Right. That lets everybody know that if one of these people comes up to them, for whatever the reason I don't know what the emergency would be, and identifies himself or herself as a special deputy, then they become cloaked with the power to enforce the law like, ... you know, ... they want the law to allow them to do. The way the situation is now there is no time set when these people are on duty, so if you saw one of them in a uniform he, ... the way it is now, could stop you and do whatever he wants to do that a law enforcement officer is allowed to do. You have no way of distinguishing the sworn deputy from the special deputy.

SENATOR STONEY: I thought it might be a good idea to have this question answered. I know a number feel that there might be too much time that elapsed which would cause these individuals, that are engaged in this activity, inability to act immediately.

SENATOR CHAMBERS: I understand the concern.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: Question of Senator Chambers. Senator, have you considered the possibility of dividing this question? It seems that you have two very distinct amendments going in unrelated directions. I certainly am not asking for the question, it's just a suggestion.

SENATOR CHAMBERS: OK, I don't object. It can be divided into three parts, or two, however.

SENATOR MURPHY: I'd leave it entirely up to you, they're your amendments.

SENATOR CHAMBERS: Senator Murphy, may I ask you a question?

SENATOR MURPHY: Surely.

SENATOR CHAMBERS: Would you be unable to cast one vote that would encompass both amendments?

SENATOR MURPHY: I don't think I, personally, would. It's just ... it occurred to me that there is a good deal of discussion on both of these points and that you might want to consider separating them. I would make no recommendation to you.

SENATOR CHAMBERS: OK. Well if that is the general concern, and somebody else expressed it, then they could make such a motion and I wouldn't object to it. The amendment is drawn to incorporate the meeting of the objections expressed yesterday.